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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,107	08/24/2001	Ping-Ying Chu	B-4287 619033-2	3345

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LADAS & PARRY  
5670 WILSHIRE BOULEVARD, SUITE 2100  
LOS ANGELES, CA 90036-5679

EXAMINER

DAVIS, ZACHARY A

ART UNIT PAPER NUMBER

2137

DATE MAILED: 08/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/939,107

Applicant(s)

CHU, PING-YING

Examiner

Zachary A. Davis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

1. An amendment was received on 10 June 2005. Claims 1, 6, 10, 15, 16, 19, and 24 have been amended. No claims have been added or canceled. Claims 1-27 are currently pending in the present application.

### ***Response to Arguments***

2. Applicant's arguments filed 10 June 2005 have been fully considered but they are not persuasive.

In reference to the rejection of Claims 1-5, 10-14, and 19-23 under 35 U.S.C. 102(e) as anticipated by Hind et al, US Patent 6772331, and the rejection of Claims 6-9, 15-18, and 24-27 under 35 U.S.C. 103(a) as unpatentable over Hind in view of Schneier, *Applied Cryptography*, Applicant argues that Hind does not disclose, teach, or suggest all of the limitations of independent Claim 1, also recited in independent Claims 6, 10, 15, 19, and 24. Specifically, Applicant argues that Hind does not disclose displaying a login on the second device and that Hind instead discloses that when the server (corresponding to the claimed second device) receives an identifier from the mobile device (corresponding to the claimed first device), an administrator verifies that the identifier is correct (Hind, column 9, lines 20-25). The Examiner does not dispute the assertion that Hind discloses that an administrator verifies that the received identifier is correct; however, the Examiner respectfully disagrees with the assertion that Hind

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does not teach or suggest displaying the login on the second device. The Examiner notes that since Hind discloses that the administrator compares the login transmitted from the first device (and received by the server) to another identifier, the administrator must somehow access the received login. The Examiner believes that this, at the very least, suggests that the server must therefore display the received login to the administrator, in order to allow the administrator to compare the two identifiers.

Therefore, for the reasons detailed above, the Examiner maintains the rejections as set forth below.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-5, 10-14, and 19-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Hind et al, US Patent 6772331.

In reference to Claim 1, Hind discloses a method including assigning an authentication number to a first device (column 7, lines 61-67), the first device transmitting a signal including the authentication number (column 9, lines 18-20), a

second device locating the signal and displaying a login number (see column 9, lines 20-25, where the administrator verifies the received identifier), and conveying the login number and digital data to the second device (column 9, lines 20-32, where the identifier is verified and a PIN or key is entered into the first device).

In reference to Claim 10, Hind discloses all of the steps of the method of Claim 1, and further discloses a plurality of first devices and selecting one of the first devices (column 11, lines 6-8).

In reference to Claim 19, Hind discloses all of the steps of the method of Claim 1, and further discloses performing mutual authentication (column 10, lines 41-45).

In reference to Claims 2, 11, and 20, Hind further discloses using high frequency radio (see, for example, column 7, lines 1-6, where reference is made to Bluetooth; see also column 7, lines 59-61).

In reference to Claims 3, 12, and 21, Hind further discloses the first device can be a mouse or a telephone (column 13, lines 44-49).

In reference to Claims 4, 13, and 22, Hind further discloses the second device can be a computer (column 13, lines 44-49) or a cellular telephone (column 12, line 64-column 13, line 2).

In reference to Claims 5, 14, and 23, Hind further discloses long-term storage in a memory (column 13, line 28-31, where flash or similar memory is used).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6-9, 15-18, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hind in view of Schneier, *Applied Cryptography*.

In reference to Claim 6, Hind discloses a method including assigning an authentication number to a first device (column 7, lines 61-67), the first device transmitting a signal including the authentication number (column 9, lines 18-20), a second device locating the signal and displaying a login number (see column 9, lines 20-25, where the administrator verifies the received identifier), and conveying the login number and digital data to the second device (column 9, lines 20-32, where the identifier is verified and a PIN or key is entered into the first device). However, Hind does not explicitly disclose generating the authentication number randomly. Schneier discloses that keys and other numbers used for authentication procedures can be generated randomly (page 173, "Random Keys"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Hind to include the random generation of the authentication number, in order to have keys that are as strong as possible (see Schneier, page 151, first paragraph; see also page 170, section 8.1, "Generating Keys").

In reference to Claim 15, Hind and Schneier disclose all of the steps of the method of Claim 6, and Hind further discloses a plurality of first devices and selecting one of the first devices (column 11, lines 6-8).

In reference to Claim 24, Hind and Schneier disclose all of the steps of the method of Claim 6, and Hind further discloses performing mutual authentication (column 10, lines 41-45).

In reference to Claims 7, 16, and 25, Hind further discloses using high frequency radio (see, for example, column 7, lines 1-6, where reference is made to Bluetooth; see also column 7, lines 59-61).

In reference to Claims 8, 17, and 26, Hind further discloses the first device can be a mouse or a telephone (column 13, lines 44-49).

In reference to Claims 9, 18, and 27, Hind further discloses the second device can be a computer (column 13, lines 44-49) or a cellular telephone (column 12, line 64-column 13, line 2).

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary A. Davis whose telephone number is (571) 272-3870. The examiner can normally be reached on weekdays 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
zad

  
EMMANUEL L. MOISE  
SUPERVISORY PATENT EXAMINER